

October 08, 2021

EDWARD J. EMMONS, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

EVANDER FRANK KANE,
 Debtor.

Case No. 3:21-cv-4597-WHO

Bankruptcy Case No. 21-50028-SLJ
 Chapter 7

Adversary Proceeding No. 21-5013

CENTENNIAL BANK,
 Appellant,

v.

EVANDER FRANK KANE,
 Appellee.

**STIPULATION AND ORDER TO
 MODIFY BRIEFING SCHEDULE**

Appellee Evander Frank Kane (“Kane”) and Appellant Centennial Bank (“Centennial”) enter into the following stipulation to modify the briefing schedule for this appeal as set forth below (the “Stipulation”) and request the Court’s approval of the revised schedule.

RECITALS

1. Centennial filed a notice of appeal in the above-mentioned bankruptcy case regarding an *Order Denying Motion to Dismiss* and elected this Court to resolve the appeal (the “Appeal”).

2. Pursuant to this Court's scheduling order, Kane's response brief is due no more than thirty days after service of Centennial's principal brief. ECF 2. Centennial's brief was filed and served on September 21, 2021, placing the original deadline on October 21, 2021. ECF 10.

3. Kane has requested, and Centennial has agreed, to extend the time for Kane to file his responsive brief by three weeks, to November 11, 2021.

4. There has been one previous time modification in this Appeal. Pursuant to this Court's scheduling order, Centennial's principal brief was due no more than thirty days after docketing of notice that the record in this matter had been transmitted or was available electronically on the Court's docket. ECF 2. Such notice was filed on July 10, 2021, placing the original deadline on August 9, 2021. ECF 7. As stipulated by the parties, and as ordered by the Court, the filing deadline for Centennial's principal brief was extended to September 21, 2021. ECF 8–9.

5. Therefore, Kane and Centennial have discussed the matter and propose to modify the briefing schedule in the Appeal as set forth below.

STIPULATION

1. Kane's responsive brief shall be due no later than November 11, 2021.

2. Except as specifically modified herein, all other deadlines for briefs in the Appeal and other matters set forth in this Court's scheduling order remain unchanged and in effect.

3. Kane and Centennial request that the Court enter an order approving this Stipulation.

Dated October 7, 2021

ANTHONY & PARTNERS, LLC

/s/ Andrew Ghekas

Andrew Ghekas
Attorneys for Appellant Centennial Bank

Dated October 7, 2021

COOPER, WHITE & COOPER LLP

/s/ Peter C. Califano

Peter C. Califano
Attorneys for Appellant Centennial Bank

STIPULATION AND ORDER TO MODIFY BRIEFING SCHEDULE

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1 Dated October 7, 2021

FINESTONE HAYES LLP

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3 /s/ Stephen D. Finestone

Stephen D. Finestone

Attorneys for Appellee Evander Frank Kane

5 **ORDER**

6 IT IS SO ORDERED.

7 Dated 10/7/2021

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Hon. William H. Orrick

District Judge of the United States District
Court for the Northern District of California